



**2013  
BOROUGH OF DUMONT  
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
BROPHY	✓			
CARRICK	✓			
HAYES	✓			
RIQUELME	✓			
STYLIANOU	✓			
ZAMECHANSKY				✓
MAYOR KELLY				
TOTALS	5			1

**Ordinance No.** 1454 (Revised)

**Date:** May 21, 2013

**Page:** 1 of 3

**Subject:** Chapter 69, Sections 9 and 75

**Purpose:** Amend

**Dollar Amount:** \_\_\_\_\_

**Prepared By:** Gregg Paster, Esq.

**Offered by:** Stylianos  
**Seconded by:** Carrick

**Certified as a true copy of an Ordinance Adopted on 2<sup>nd</sup> reading by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:**

Susan Connelly  
**Susan Connelly, RMC, Municipal Clerk**  
**Borough of Dumont, Bergen County, New Jersey**

**AMENDMENT OF CHAPTER 69, SECTIONS 9 AND 75, PERSONNEL POLICIES  
OF THE DUMONT CODE**

**WHEREAS**, the State of New Jersey has determined that, as part of its Local Government Best Practices program, part-time, elected and appointed officials should be excluded from Borough-funded Health Benefits; and

**WHEREAS**, the Mayor and Council have traditionally been afforded the opportunity to participate in the Borough sponsored Health Benefits program, at Borough expense, without an official policy statement, via resolution or ordinance, providing for such participation in the Health Benefits program; and

**WHEREAS**, in order to continue its mission of full compliance with the State's Local Government Best Practices program, and to maximize state aid contingent on successful participation in that program, it is necessary to amend those sections of Chapter 69 of the Borough Code governing the benefits afforded employees other than full time borough employees.

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that Chapter 69 PERSONNEL POLICIES of the Borough of Dumont Code shall be amended as hereinafter provided:

Chapter 69, Section 9, Paragraph E, be and hereby is amended as set forth herein:

Part-time employees, all employees who work less than 35 hours per week, and all elected and appointed officials, and, as such, do not qualify for health benefits or other employment benefits except statutorily required pension benefits.

The following provision shall be added to the existing Code, **69-75 Benefits**.

In addition to the existing provisions of the above reference section, the following shall be added to the section:

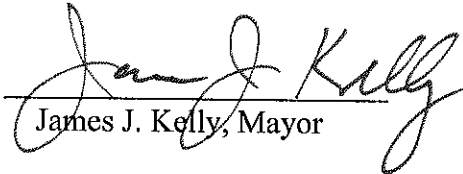
Employees working less than 35 hours per week and all elected and appointed Borough officials shall not be eligible for benefits as provided in this section, specifically including, but not limited to, hospital, medical, dental and major medical insurance benefits, and any other benefits not afforded to employees other than full-time employees as set forth in this Chapter as made and provided from time to time.

**Invalidity.** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.


**Severability.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Effective Date.** This Ordinance shall take effect ninety days following final passage and publication.

BOROUGH OF DUMONT

  
James J. Kelly, Mayor

ATTEST:

  
Susan Connelly, RMC  
Municipal Clerk

Introduced: May 7, 2013  
Adopted: May 21, 2013



**2013**  
**BOROUGH OF DUMONT**  
**ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
BROPHY	✓			
CARRICK	✓			
HAYES	✓			
RIQUELME	✓			
STYLIANOU	✓			
ZAMECHANSKY				✓
MAYOR KELLY				
TOTALS	5			1

Ordinance No.	1456 (Revised)
Date:	May 21, 2013
Page:	1 of 7
Subject:	Depew Street Phase II
Purpose:	Bond Ordinance
Dollar Amount:	\$155,000
Prepared By:	Lisa Gorab, Esq.

Offered by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

*Stylianos*  
*Brophy*

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

*Susan Connelly*  
\_\_\_\_\_  
Susan Connelly, RMC, Municipal Clerk  
Borough of Dumont, Bergen County, New Jersey

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO DEPEW STREET (II), BY AND IN THE BOROUGH OF DUMONT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$155,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$155,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DUMONT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Dumont, in the County of Bergen, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$155,000, said sum being inclusive of a \$150,000 grant expected to be received from the New Jersey Department of Transportation (the "Grant"). Pursuant to Section 40A:2-11(c) of the Local Bond Law, as amended and supplemented, no down payment is required for obligations authorized in connection with the improvement or purposes set forth in Section 3 hereof, as the improvement is expected to be partially funded through the Grant.

**SECTION 2.** For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$155,000 appropriation not provided for by the down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$155,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$155,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

**SECTION 3. (a)** The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is improvements to Depew Street from East

Quackenbush Avenue to Davies Avenue and from Wood Place to Washington Avenue, said project includes but is not limited to, milling, paving, ancillary drainage improvements, construction/reconstruction of curbs, sidewalks, ADA ramps and driveway aprons, site restoration, installation of topsoil, seed, fertilizer, signage, inlets and inlet heads, topsoil, fertilizer and seed restoration and resetting of manhole covers as applicable, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said purposes is \$155,000.

(c) The estimated cost of said improvement or purpose is \$155,000.

**SECTION 4.** In the event the United States of America, the State of New Jersey and/or the County of Bergen make a contribution or grant in aid to the Borough for the improvement and purpose authorized herein and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Bergen. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Bergen shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the office of the Clerk and is available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement or purpose which the Borough may lawfully undertake as a general improvement or purpose, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$155,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose herein before described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough



shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvement or purpose described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$155,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All

reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

**SECTION 10.** The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

**SECTION 11.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING  
DATED: May 21, 2013**

  
\_\_\_\_\_  
**SUSAN CONNELLY, RMC**  
Clerk of the Borough of Dumont

**ADOPTED ON SECOND READING  
DATED: \_\_\_\_\_, 2013**

\_\_\_\_\_  
**SUSAN CONNELLY, RMC**  
Clerk of the Borough of Dumont

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

\_\_\_\_\_  
**JAMES J. KELLY, Mayor**



**2013  
BOROUGH OF DUMONT  
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
BROPHY	✓			
CARRICK	✓			
HAYES	✓			
RIQUELME	✓			
STYLIANOU	✓			
ZAMECHANSKY				✓
MAYOR KELLY				
TOTALS	5			1

**Ordinance No.** 1457

**Date:** May 21, 2013

**Page:** 1 of 2

**Subject:** Tax Collector Copy Fees

**Purpose:** Approval

**Dollar Amount:** \_\_\_\_\_

**Offered by:** Brophy

**Seconded by:** Stylianou

**Prepared By:** Gregg Paster, Esq.

**Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:**

Susan Connelly  
**Susan Connelly, RMC, Municipal Clerk**  
**Borough of Dumont, Bergen County, New Jersey**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 209 SECTION 21  
OF THE BOROUGH OF DUMONT ORDINANCES**

**BE IT HEREBY ORDAINED** by the Mayor and Council of the Borough of Dumont, in the County of Bergen and State of New Jersey, that certain provisions of Chapter 209 of the Borough of Dumont Code shall be amended as hereinafter provided by adding the following to Section 21:

1. Chapter 209 Section 21 of the Borough Code, entitled 'Schedule of Fees' shall be hereby amended as follows:

209-21. Tax Bills and Certificates.

A. The fee for a request for a duplicate tax bill requested by a mortgagee, service organization, or property tax processing organization shall be \$5 for the first duplicate copy and \$25 for each subsequent duplicate copy of the same bill in any tax year.

B. Tax Certificates-Redemption Calculation

(1) In accordance with N.J.S.A. 54:5-54 the tax collector shall provide to any party entitled to redeem a certificate pursuant to the section, two calculations of the amount required for redemption within a calendar year at no cost. For each subsequent calculation requested from the tax collector there shall be a fee payable in the amount of Fifty (\$50.00) Dollars. A request for a redemption calculation shall be made in writing to the tax collector.

(2) In accordance with N.J.S.A. 54:5-97.1 the tax collector may charge a lienholder a tax lien of \$50.00 for the calculation of the amount due to redeem the tax lien as required pursuant to that section. Any request for a redemption calculation shall specify the date to be used for the calculation, which shall be the date of the notice. Neither the tax collector nor the municipality shall be liable for an incorrect calculation. The fee paid to the municipality shall not become a part of the lien and shall not be passed on to any party entitled to redeem pursuant to N.J.S.A. 54:5-54.

2. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

4. This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

BOROUGH OF DUMONT

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James J. Kelly, Mayor

ATTEST:

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Susan Connelly, RMC  
Municipal Clerk

Introduced: May 21, 2013

Adopted: , 2013